

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**JOE HENRY MACK,**

**Plaintiff,**

**v.**

**PAUL S. KENDALL, Administrative Law  
Judge,**

**Defendant.**

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**CIVIL NO. 3:08-CV-1257-O**

**ORDER**

After conducting a review *de novo* of the pleadings, files and records in this case, and the Findings and Recommendation of the United States Magistrate Judge in accordance with 28 U.S.C. § 636(b)(1), the Court is of the opinion that the Findings and Recommendation of the Magistrate Judge are correct and they are hereby accepted as the Findings of the Court. Plaintiff's application to proceed *in forma pauperis* is denied. Plaintiff has failed to pay the \$350.00 statutory filing fee as required by the Findings and Recommendation of the United States Magistrate Judge. Further, Plaintiff's Objections to the Findings and Recommendation of the United States Magistrate Judge, filed on September 9, 2008, are hereby **OVERRULED**. Judgment will be entered accordingly.

SO ORDERED this 23<sup>rd</sup> day of February, 2009.

  
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**Reed O'Connor**  
**UNITED STATES DISTRICT JUDGE**